

**Commonwealth of Kentucky  
Natural Resources and Environmental Protection Cabinet  
Department for Environmental Protection  
Division for Air Quality  
803 Schenkel Lane  
Frankfort, Kentucky 40601  
(502) 573-3382**

**Title V  
AIR QUALITY PERMIT  
Issued under 401 KAR 52:020**

**Permittee Name:** Cooper –Standard Automotive Inc.  
**Mailing Address:** 701 Lima Avenue, Findlay, Ohio 45840

**Source Name:** Cooper-Standard Automotive Inc.  
**Mailing Address:** 701 Lima Avenue  
Findlay, Ohio 45840

**Source Location:** 250 Oak Grove Drive  
Mount Sterling, Kentucky 40353

**Permit Number:** V-03-041  
**Log Number:** 54742  
**Review Type:** Synthetic Minor; Title V  
**Source ID # :** 21-173-00030

**Regional Office** Ashland Regional Office  
1550 Wolohan Drive; Suite 1  
Ashland, KY 41102  
(606) 929-5285

**County:** Montgomery

**Application**  
**Complete Date:** April 10, 2003  
**Issuance Date:** December 08, 2003  
**Expiration Date:** December 08, 2008

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**John S. Lyons, Director  
Division for Air Quality**

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## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and received a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

### **Emissions Units: 01, and 02 (SN-1, and SN-2) Indirect heat exchangers**

#### **Description:**

Natural gas-fired units

Backup Fuel: #2 fuel oil

Maximum continuous rating: (2) 9.21 MMBTU/hour, each

Construction commenced: 1996

#### **Applicable Regulations:**

401 KAR 59:015, New indirect heat exchangers, applicable to an emission unit with a capacity less than 250 MMBTU/hour and commenced on or after April 9, 1972

#### **1. Operating Limitations:**

None

#### **2. Emission Limitations:**

- a) Pursuant to 401 KAR 59:015, Section 4(1)(c) particulate emissions shall not exceed 0.49 lb/MMBTU based on a three-hour average.
- b) Pursuant to 401 KAR 59:015, Section 4(2), emissions shall not exceed twenty (20) percent opacity based on a six-minute average except a maximum of forty (40) percent opacity for not more than six (6) consecutive minutes in any sixty (60) consecutive minutes during cleaning the firebox or blowing soot.
- c) Pursuant to 401 KAR 59:015, Section 5(1)(c), the sulfur dioxide emission rate shall not exceed 2.33 lbs/MMBTU based on a three-hour average.
- d) Each unit is considered to be in compliance with the PM, SO<sub>2</sub>, and opacity standards while burning natural gas.

#### **3. Testing Requirements:**

None

#### **4. Specific Monitoring Requirements:**

The permittee shall monitor amount of gas/ # 2 fuel oil an a monthly basis.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**5. Specific Record Keeping Requirements:**

The permittee shall maintain records of monthly natural gas and number two fuel oil usage, and fuel oil sulfur content.

**6. Specific Reporting Requirements:**

See Section F.

**7. Specific Control Equipment Operating Conditions:**

NA

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**Emissions Units: 04, 05, and 06      SN-4, SN-5, and SN-6**

**Knit/spiral Hose Line 1**

**Knit/spiral Hose Line 2**

**Knit/Spiral Hose Line 3**

### **Description:**

Equipment includes: Two coolers, one reinforcing machine, one printer station, and one cutter.  
Construction commenced: 1996

### **Applicable Regulations:**

401 KAR 63:021, existing sources emitting toxic air pollutants.  
Voluntary Limit to preclude the applicability of 401 KAR 51:017

#### **1. Operating Limitations:**

The maximum usage rate of ink in the printer station shall not exceed 0.1 gallon per hour (each line) in order to preclude the applicability of Regulation 401 KAR 51:017, Prevention of significant deterioration of air quality. The hourly usage rate of ink shall be calculated from the monthly ink processed and hours of operation.

#### **2. Emission Limitations:**

- a) The maximum emission rate of volatile organic compounds shall not exceed 20.88 pound per day for printer station operations (with ink usage), to preclude the applicability of 401 KAR 51:017, Prevention of significant deterioration of air quality. Compliance with the volatile organic compounds emission limitation shall be determined as follows:

(the gallons per hour of ink used) x (ink density in pounds per gallon) x (the Weight fraction of VOC in the ink).

- b) See Section D, Condition 3.

#### **3. Testing Requirements:**

None

#### **4. Specific Monitoring Requirements:**

See Section F.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**5. Specific Record Keeping Requirements:**

Records of the ink used (recording the name, density, weight fraction organic, and monthly amount used), and hours of operation, shall be maintained on monthly basis.

**6. Specific Reporting Requirements:**

See Section F.

**7. Specific Control Equipment Operating Conditions:**

NA

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**Emissions Unit: 07 (SN-4, SN-5, SN-6, SN-7) -Off-line hose reinforcing operation and all adhesive application operations**

**Description:**

Equipment includes: Three adhesive application operations (SN-4, SN-5, #3A at SN-6), one off-line adhesive application operation (SN-7), and a reinforcing machine (SN-7)  
Construction commenced: 1996

**Applicable Regulations:**

401 KAR 63:021, existing sources emitting toxic air pollutants  
Voluntary limits to preclude the applicability of 401 KAR 51:017

**1. Operating Limitations:**

The maximum usage rate of solvents in all of the adhesive application operations (SN-4, SN-5, SN-6, SN-7) shall not exceed 2460 gallons per month, total. The monthly usage rate of solvent shall be calculated from the monthly gallons of solvent processed.

**2. Emission Limitations:**

- a) The maximum emission rate of volatile organic compounds shall not exceed 8.34 tons per month, total, for all the adhesive application operations (SN-4, SN-5, SN-6, SN-7), to preclude the applicability of 401 KAR 51:017, Prevention of significant deterioration of air quality. Compliance with the volatile organic compounds emission limitation shall be determined as follows:

(the gallons per month of solvent used in adhesive applications) x (solvent density in pounds per gallon) x (percent of VOC in solvent) divided by 2000 pounds per ton.

- b) See Section D, Condition 3.

**3. Testing Requirements:**

None

**4. Specific Monitoring Requirements:**

See Section F.



**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**5. Specific Record Keeping Requirements:**

Records of the monthly solvents used (recording the name, density, and amount used), and gallons per month of solvents shall be maintained.

**6. Specific Reporting Requirements:**

See Section F.

**7. Specific Control Equipment Operating Conditions:**

NA

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Emissions Units: 09 - 16 (SN-9 through SN-16) - Eight Autoclaves**

#### **Description:**

Equipment includes: eight autoclaves  
Construction commenced: 1996

#### **Applicable Regulations:**

401 KAR 63:021, Existing sources emitting toxic air pollutants  
Voluntary limits to preclude the applicability of 401 KAR 51:017

#### **1. Operating Limitations:**

For each autoclave, the maximum processing rate of rubber shall not exceed 1200 pounds per hour, in order to preclude the applicability of 401 KAR 51:017. The hourly-processing rate of rubber shall be calculated from the monthly rubber processed and hours of operation.

#### **2. Emission Limitations:**

- a) The maximum emission rate of volatile organic compounds shall not exceed 0.53 pound per hour for all eight autoclaves, total, to preclude the applicability of 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality. Compliance with the volatile organic compounds emission limitation shall be determined as follows:

[pounds rubber per hour (total for all autoclaves) x 6.65E-05 lb VOC/lb rubber x 0.83 (the release/condensation factor)].

- b) See Section D, Condition 3.

#### **3. Testing Requirements:**

None

#### **4. Specific Monitoring Requirements:**

See Section F.

#### **5. Specific Record Keeping Requirements:**

Records of the rubber processed and hours of operation shall be maintained on a monthly basis.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**6. Specific Reporting Requirements:**

See Section F.

**7. Specific Control Equipment Operating Conditions:**

NA

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**Emissions Unit: 20 (SN-20) - Number two fuel oil tank**

### **Description:**

Capacity: 12,000 gallons

Construction commenced: 1996

### **Applicable Regulations:**

401 KAR 60:005, incorporating by reference 40 CFR 60 Subpart Kb, Standards of performance for volatile organic liquid storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984

#### **1. Operating Limitations:**

None

#### **2. Emission Limitations:**

NA

#### **3. Testing Requirements:**

None

#### **4. Specific Monitoring Requirements:**

See Section F.

#### **5. Specific Record Keeping Requirements:**

Pursuant to 40 CFR 60.116b (a) and (b), the permittee shall keep records for the life of the source showing the dimension of the storage vessel and an analysis showing the capacity of the vessel.

#### **6. Specific Reporting Requirements:**

See Section F.

#### **7. Specific Control Equipment Operating Conditions:**

NA

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **Emissions Unit: 23 (SN-23) - Hose Finishing Operations**

#### **Description:**

Equipment includes: various cutters, jigs, markers, and finishing equipment  
Construction commenced: 1996

#### **Applicable Regulations:**

401 KAR 63:021, Existing sources emitting toxic air pollutants.

#### **Regulations not Applicable:**

To preclude the applicability of regulation 401 KAR 51:017, prevention of significant deterioration of air quality, source has taken voluntary operating limits.

#### **1. Operating Limitations:**

- a) The maximum usage rate of adhesive shall not exceed 58 gallons per month, in order to preclude the applicability of 401 KAR 51:017, Prevention of significant deterioration of air quality. The usage rate of adhesive shall be calculated from the monthly adhesive used.
- b) The maximum usage rate of solvent shall not exceed 610 gallons per month, in order to preclude the applicability of 401 KAR 51:017, Prevention of significant deterioration of air quality. The usage rate of solvent shall be calculated from the monthly solvent used.
- c) The maximum usage rate of ink in the printer station shall not exceed 30 gallons per month, in order to preclude the applicability of 401 KAR 51:017, Prevention of significant deterioration of air quality. The usage rate of ink shall be calculated from the monthly ink used.

#### **2. Emission Limitations:**

- a) The maximum emission rate of volatile organic compounds from adhesive usage shall not exceed 0.2 ton per month for the adhesive application operations, to preclude the applicability of 401 KAR 51:017, Prevention of significant deterioration of air quality.
- b) The maximum emission rate of volatile organic compounds from solvent usage shall not exceed 0.1 tons per month, to preclude the applicability of 401 KAR 51:017, Prevention of significant deterioration of air quality.

**SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**2. Emission Limitations continued:**

For a), b), or c) Compliance with the volatile organic compounds emission limitations shall be determined as follows:

(the gallons per month of adhesive, solvent, or ink (as appropriate) used) x  
(corresponding density in pounds per gallon) x (percent volatile organics/100)  
divided by 2000 pounds/ton.

**3. Testing Requirements:**

None

**4. Specific Monitoring Requirements:**

See Section F.

**5. Specific Record Keeping Requirements:**

Records of the monthly adhesive, solvent, and ink used (recording the name, density, percent volatile organic, and amount used for each adhesive, solvent, and ink) shall be maintained.

**6. Specific Reporting Requirements:**

See Section F.

**7. Specific Control Equipment Operating Conditions:**

NA

**SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

| <u>Description</u>  | <u>Generally Applicable Regulation</u> |
|---|--|
| 1. SN-17 Control pyrolysis cleaning<br>Furnace rated at 0.40 mmBTU/hr | N/A                                    |
| 2. SN-18 and 19 Two cold cleaning<br>Degreasers (parts washers)       | N/A                                    |
| 3. SN-21 One 300 gallon diesel storage tank                           | N/A                                    |
| 4. SN-22 One 5,215 gallon mandrel lube<br>storage tank                | N/A                                    |
| 5. Plastic Injection Diradia Presses                                  | N/A                                    |
| 6. Multi-Layer Plastic Tubing Line 1                                  | N/A                                    |
| 7. Multi-Layer Plastic Tubing Line 2                                  | N/A                                    |
| 8. Hot air blower #1.   | N/A                                    |
| 9. Conveyor.  | 401 KAR 59:010                         |
| 10. 80 gallon parts washer.   | 401 KAR 63:010                         |
| 11. Rubber extruders (six)  | 401 KAR 59:010                         |
| 12. Rubber Mill   | NA                                     |

**SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING  
REQUIREMENTS**

1. As required by Section 1b of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Particulate, sulfur dioxide, volatile organic compounds, visible (opacity) emissions, and toxic/hazardous air pollutants as measured by methods referenced in Regulation 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
3. Source wide potential emissions of volatile organic compounds shall not exceed 225 tons per year. To demonstrate compliance with the emission limitations, processing rate limitation, and requirements contained herein, the permittee shall record monthly throughputs, processing rates, and solvent usage rates with corresponding information needed to determine emissions. The permittee shall calculate emissions monthly and assure compliance with limitation specified herein.
4. State-only requirement: in accordance with 401 KAR 63:021, existing sources emitting toxic air pollutants, the sourcewide emissions of toxic constituents listed below shall not exceed the emission limitations specified herein:

| <u>Toxic Constituent</u> | <u>Pounds per Hour Emission Limit Not to be Exceeded</u> |
|--------------------------|--|
| Carbon disulfide         | 48.6   |
| Isophorone               | 2.22   |
| Trimethylbenzene         | 6.03   |

Permittee shall maintain records of materials containing the above constituents and hours of operation on a monthly basis.



## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place as defined in this permit, and time of sampling or measurements.
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.

[Section 1b (IV)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
  - b. To access and copy any records required by the permit;
  - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency
  - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.
  - e. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

**SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V )1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
6. The semi-annual reports are due by January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall submit written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within *30 days*. Other deviations from permit requirements shall *be included in the semiannual report required by Section F.6* [Section 1b (V) 3, 4. of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
  - a. Identification of the term or condition;
  - b. Compliance status of each term or condition of the permit;

## **SECTION F- MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

- c. Whether compliance was continuous or intermittent;  
The method used for determining the compliance status for the source, currently and over the reporting period, and
- d. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
- e. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality  
Ashland Regional Office  
1550 Wolohan Drive Suite # 1  
Ashland, KY 41102

U.S. EPA Region IV  
Air Enforcement Branch  
Atlanta Federal Center  
61 Forsythia Street  
Atlanta, GA 30303-8960

Division for Air Quality  
Central Files  
803 Schenkel Lane  
Frankfort, KY 40601

- 10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.
- 11. Pursuant to Section VII (3) of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork.

**SECTION G - GENERAL PROVISIONS****(a) General Compliance Requirements**

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including termination, revocation and resistance, revision or denial of a permit [Section 1a, 3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - a. If additional requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
  - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopening shall be made as expeditiously as practicable. Reopening shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Section 1a, 7,8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].
11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source reconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

16. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
- (a) Applicable requirements that are included and specifically identified in the permit and
  - (b) Non-applicable requirements expressly identified in this permit.

(b) Permit Expiration and Reapplication Requirements

- 1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].
- 2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:020 Section 8(2)].

(c) Permit Revisions

- 1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
- 2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

N/A

**SECTION G - GENERAL PROVISIONS (CONTINUED)****(e) Acid Rain Program Requirements**

N/A

**(f) Emergency Provisions**

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
  - a. An emergency occurred and the permittee can identify the cause of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
  - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations are exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
  - e. This requirement does not relieve the source from other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

**(g) Risk Management Provisions**

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center  
P.O. Box 3346  
Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information to the Division or the U.S. EPA.



**SECTION G - GENERAL PROVISIONS (CONTINUED)****(h) Ozone depleting substances**

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
  - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, HVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the record keeping requirements pursuant to 40 CFR 82.166
  - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

## **SECTION H - ALTERNATE OPERATING SCENARIOS**

N/A

**SECTION I- COMPLIANCE SCHEDULE**

N/A